

Amendments to the Claims

1. **(Currently Amended)** An evaluation apparatus for acquiring numerical data showing a state of a biological sample including a cell having a linear structure extending from a main body of a soma from image data obtained by taking an image of the biological sample, the evaluation apparatus comprising:

a condition pass/fail determining unit for deleting the linear structure from the image of the biological sample and determining whether a measuring area set as a numerical data acquiring area in the-an image of the biological sample has a number of main bodies, as a number of somas, that-to-be-evaluated meets a predetermined condition for acquiring the numerical data;

a digitization unit for acquiring the numerical data from the image of which the measuring area is judged to meet the predetermined condition; and

a measuring area changing unit for changing a position of the measuring area with regard to the biological sample when said condition pass/fail determining unit determines the predetermined condition is not met.

2. **(Canceled)**

3. **(Original)** The evaluation apparatus of claim 1, wherein the predetermined condition includes a reference image to be compared with the image in the measuring area.

4. **(Previously Presented)** The evaluation apparatus of claim 1, wherein the predetermined condition includes a predetermined value for judging a result of a comparison between the image in the measuring area and a reference image.

5. **(Currently Amended)** The evaluation apparatus of claim 1, wherein ~~the biological sample is a cell having a linear structure extending from a main body of a soma, and the numerical data includes at least one of~~ (i) a length of the linear structure and (ii) ~~an entire area of the linear structure.~~

6. **(Currently Amended)** An evaluation method for acquiring numerical data from image data obtained by taking an image of a biological sample including a cell having a linear structure extending from a main body of a soma, the evaluation method comprising:

setting a condition for acquiring the numerical data from a measuring area set as a numerical data acquiring area in the image to be evaluated;

deleting the linear structure from the image of the biological sample;

judging whether the measuring area of the image of the biological sample has a number of main bodies, as a number of somas, that meets the condition for acquiring the numerical data;

acquiring the numerical data from the measuring area when the measuring area is judged to meet the condition; and

changing a position of the measuring area with regard to the biological sample when the measuring area is judged not to meet the condition.

7. **(Canceled)**

8. **(Original)** The evaluation method of claim 6, wherein the condition includes a reference image to be compared with the image in the measuring area.

9. **(Previously Presented)** The evaluation method of claim 6, wherein the predetermined condition includes a predetermined value for judging a result of a comparison between the image in the measuring area and a reference image.

10. **(Previously Presented)** The evaluation method of claim 6, ~~wherein the biological sample is a cell having a linear structure extending from a main body of a soma, and the numerical data includes at least one of (i) a length of the linear structure and (ii) an entire area of the linear structure.~~

11. **(Currently Amended)** A computer program stored on a storage medium for executing an evaluation method of a biological sample including a cell having a linear structure extending from a main body of a soma for acquiring numerical data from an

image data obtained by taking an image of the biological sample, the evaluation method comprising:

setting a condition for acquiring the numerical data from a measuring area set as a numerical data acquiring area in the image to be evaluated;

deleting the linear structure from the image of the biological sample;

judging whether the measuring area of the image of the biological sample has a number of main bodies, as a number of somas, that meets the condition for acquiring the numerical data;

acquiring the numerical data from the measuring area when the measuring area is judged to meet the condition; and

changing a position of the measuring area with regard to the biological sample when the measuring area is judged not to meet the condition.

12. (Canceled)

13. (Original) The storage medium of claim 11, wherein the condition includes a reference image to be compared with the image in the measuring area.

14. (Previously Presented) The storage medium of claim 11, wherein the condition includes the predetermined value for judging the result of a comparison between the image in the measuring area and a reference image.

15. (Currently Amended) The storage medium of claim 11, wherein ~~the biological sample are a cell having a linear structure extending from a main body of a soma, and the~~ numerical data includes at least one of (i) a length of the linear structure and (2) ~~an entire~~ area of the linear structure.